

## **Bill's amendment helps SD with river stability**

Editorial

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Sen. Kit Bond, R-Mo., claimed victory in last week's approval of a key amendment to an energy and water spending bill.

Sen. Tom Daschle, D-S.D., also claimed victory.

Of course, they're on opposite sides of the central issue - water flow on the Missouri River - so they can't both be right. Can they?

In the world of politics, yes.

In the real world, no.

Upper Missouri River states have been fighting with lower river states over an Army Corps of Engineers plan to revise the Missouri River Master Manual. The point of contention is a plan that would release water from dams along the river to replicate the pre-dam natural flow.

The specific reason for doing that is to restore habitat for endangered animals, and the U.S. Fish and Wildlife Service has offered a plan to do so. But it also:

Helps recreation in the Dakotas by keeping reservoirs filled at the right times.

Potentially hurts barge traffic and creates flooding for farmers downstream.

Bond hailed the amendment - which goes to a House-Senate conference committee - saying it allowed the corps to get around the Endangered Species Act by ignoring changes proposed by Fish and Wildlife.

That sounds good, and it's something Bond can take home to Missouri voters. But sooner or later, they're going to say, "Show me." And Bond is going to find himself in a pickle. Because what he says, isn't at all what the amendment says:

"... the secretary may consider and propose alternatives for achieving species recovery other than the alternatives specifically prescribed by the United States Fish and Wildlife Service ..."

Got the key words? They're "achieving species recovery."

In other words, the focus of the corps doesn't change at all. There's no bypassing of the Endangered Species Act. This simply means there can be another plan beyond that of Fish and Wildlife, as long as it accomplishes the same thing.

Even Fish and Wildlife says this doesn't really change things.

"If the corps ... comes up with a new alternative that has the attributes necessary for the species to survive, the Fish and Wildlife Service will endorse it," said Al Sapa, field supervisor in Bismarck, N.D.

Purists still worry. The Endangered Species Act - and biological research - should drive any such species recovery efforts, they say. This amendment now gives bureaucrats and politicians free rein to go mucking around in areas where they have no expertise. And that is a way around the act.

The argument has some validity.

But the whole question of endangered species - whether listing or protecting - is a political and legal one. Biological research is not the only facet. So really, whatever happens is a gamble.

If allowing Bond to blow his horn is what it takes to get the job done, so be it. Without this compromise - approved 100-0 by the Senate - South Dakota might have lost all.

Commerce backed by Republicans vs. wildlife backed by Democrats? What are the chances, with George W. Bush in the White House?

This amendment means we get what we want, although it might not be the specific proposal already floated.

Considering that this idea has been studied up one side and down the other by biologists for years, it doesn't seem likely that a workable alternative suddenly will appear.

Daschle and South Dakota won. Bond lost.

Let him put any face on it he wants. That won't change reality.